

LYON COUNTY PLANNING COMMISSION MEETING MINUTES

June 14, 2022

The June 14, 2022 meeting of the Lyon County Planning Commission was called to order by Commission Chairwoman, Tammy Hendrix.

1. Roll Call –

Members present: Commissioners Tammy Hendrix, Audrey Allan, Michael Carlson, Connie Kuzmicki, Shawn Keating, John Cassinelli and Loretta Sell attended the meeting in the Greg Hunewill Commissioner’s Chambers.

Attending staff present: Senior Planners, Rob Pyzel attended via Zoom. Community Development Director, Andrew Haskin; Senior Planner, Louis Cariola; Planning Technician, Kerry Page and Administrative Assistant, Shannon Juntunen, attended in person.

2. Pledge of Allegiance – Led by Commissioner Allan.

3. Public Participation – There was none

4. Review and Adoption of the Agenda-

Commissioner Allan motioned to adopt the agenda as presented. Commissioner Sell seconded, the motion passed by a unanimous vote (7 Ayes; 0 Nay; 0 Abstention)

5. Approval of minutes-

Commissioner Allan motioned to **approve** the minutes from the May 10, 2022 meeting as amended. Commissioner Keating **seconded**, the motion passed by unanimous vote (7 Ayes; 0 Nay; 0 Abstentions)

6. Presentation and Reading of Miscellaneous Correspondence – There was none.

7. Advisory Board Reports – A letter of transmittal from the Dayton Regional Advisory Board was received regarding traffic concerns/data on the Highway 50 Corridor in Dayton.

8. Public Hearing Items:

8.a For Possible Action: To approve Leland Hayden's request for a parcel map to subdivide a 17.07 acre parcel zoned RR-2T (Rural Residential – 2 acre minimum with Trailer Overlay) into 3 parcels, the smallest being 5 acres in size, located on Lynlee Lane (unaddressed) in Mason Valley (APN: 014-351-05) PLZ-2022-140.

Senior Planner, Louis Cariola presented the staff report summarizing the applicants request for a tentative parcel map to subdivide a 1707 acre parcel into three (3) parcels. The east portion of the parcel is located in an AO FEMA Flood Zone, requiring an Elevation Certificate prior to development on that portion of the parcel. All three (3) parcels will be served by independent wells and septic. The request is in conformance with the Master Plan and Zoning. Staff is recommending approval.

Public Comment- There was none.

Commissioner Sell motioned to forward a recommendation of **approval of** the request for a parcel map to subdivide a 17.07 acre parcel zoned RR-2T (Rural Residential – 2 acre minimum with Trailer Overlay) into 3 parcels, the smallest being 5 acres in size, located on Lynlee Lane (unaddressed) in Mason Valley (APN: 014-351-05) PLZ-2022-140 subject to the following Conditions of Approval:

Conditions of Approval

1. The applicant shall comply with all Federal, State, County and special purpose district regulations.

2. The applicant shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Director prior to submitting the final parcel map for recordation.
3. The applicant shall pay the actual costs for County Engineer plan and map checking fees and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Planning Department prior to final parcel map recordation.
4. The applicant shall pay in full all property taxes through the end of the fiscal year (June 30) prior to recordation of the final parcel map.
5. The applicant shall provide the parcel map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS). The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.
6. The applicant shall pay the required recording fees at time of final parcel map recordation.
7. No lot shall be offered for sale or sold and no building permits shall be accepted for processing until the final parcel map has been approved and recorded.
8. The applicant shall comply with Lyon County's storm drainage guidelines (revised September 2018).
9. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 15.03.03 of the Lyon County Code.
10. The applicant shall comply with all applicable fire code requirements to the satisfaction of the Mason Valley Fire Protection District.
11. The final parcel map will comply with the current Lyon County standards requiring a 7.5-foot public utility easement along the front property lines and 5-foot public utility easement along all side property lines for the proposed parcels prior to recordation (the current map meets and exceeds this requirement).
12. The three new parcels access Lynlee Lane, which is currently a non-maintained gravel County roadway. No improvements to Lynlee Lane are currently required, but encroachment permits for each parcel will be required in order to develop on-site. If any driveways are proposed to access Canyon Road, the Road will require improvement at the applicant's expense to the County's gravel road standard, extending from Bybee Lane to the easterly edge of the easternmost parcel.
13. The following items are required of all development:
 - a. All construction shall comply with all applicable building and fire code requirements.
 - b. Building permits shall be issued in compliance with Title 15 of the Lyon County Code.
 - c. Site development work will require a site improvement permit(s) in accordance with Title 15.234 unless directly associated with a single family residential building permit.
 - d. Structures placed on these parcels shall adhere to the County's site and setback standards for the zoning district as it applies to each parcel at the time of development.
 - e. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
 - f. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.
 - g. Prior to any combustible materials being brought on site street name signage shall be installed, if applicable and emergency vehicle access has been installed to the satisfaction of the Mason Valley Fire Protection District.

14. Any further division may be subject to the imposition of subdivision improvement standards as may be legally imposed at the time. The applicant shall place a note to this effect on the final parcel map prior to recordation.
15. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. **Failure to submit a complete final parcel map and pay the required fees within one (1) year from the date of approval shall render the tentative parcel map approval as expired.** No extension may be granted after receiving approval of the tentative parcel map.

Commissioner Keating **seconded**, the motion passed by a unanimous vote (7 Ayes; 0 Nay; 0 Abstentions).

- 8.b. For Possible Action: Forward a recommendation to the Board of County Commissioners for Lyon County's request for a zoning map amendment to change the zoning on an approximately 2.09 - acre parcel from RR-2T (Second Rural Residential – 2 acre minimum, Trailer Overlay) to PF (Public Facilities) located at 158 Garnet Circle, Mound House (APN: 016-221-40)

Senior Planner, Louis Cariola presented the Staff Report summarizing the applicant's request for a zoning map amendment. The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation. The proposed amendment is consistent with the public facilities policies contained in Title 15 and is compatible with the adjacent uses and master plan.

Staff is recommending approval.

Public Comment-There was none

Commissioner Keating motioned to forward a recommendation of **approval** to the Lyon County Board of Commissioners for the zoning map amendment request by Lyon County to change the zoning district from RR-2T (Rural Residential – 2 acre minimum w/Trailer Overlay) to PF (Public Facilities) for a 2.09-acre parcel located at 158 Garnet Circle, Mound House (APN: 016-221-40) PLZ-2022-155 based on the following findings:

- A. The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;
- B. The proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;
- C. The proposed amendment is compatible with the actual or master planned adjacent uses.

Commissioner Allan **seconded**, the motion passed by a unanimous vote (7 Ayes; 0 Nay; 0 Abstentions)

- 8.c. For Possible Action: Forward a recommendation to the Board of County Commissioners for Lyon County's request for a Code Amendment for Title 15 to amend Lyon County Code Title 15, the Lyon County land use and development code; to add Chapter 15.240 – Mass Grading Permits, to allow for site disturbance for nonresidential developments prior to the issuance of a building permit; to require submission of a reclamation plan and reclamation surety bond prior to deeming the mass grading permit application complete; to list the mass grading plan permit submission requirements; and other matters pertaining thereto.

Community Development Director, Andrew Haskin, explained the requested code amendment to Title 15 pertaining to Mass Grading Permits. The request to amend Title 15 would create a separate permitting process that would:

- Define when a mass grading permit is required;
- Define what activities would disturb the surface of a parcel in Lyon County, but are considered exempt from securing a mass grading permit;
- Describe the procedures by which to submit for a mass grading permit and the submission requirements (including a reclamation plan and a reclamation bond to protect Lyon County and the surrounding property owners in the event the project does not move forward); and
- Establish when the approval of a mass grading permit expires.

The proposed zoning text amendment would provide clear direction and a venue to allow development proposals to move more efficiently towards the completion of their non-residential developments while providing protections to avoid site disturbances that create public health, safety and general welfare concerns experienced as a result of the 2008 – 2012 Recession. Staff is recommending approval.

Deliberation between the Commissioners and staff continued regarding the need for this amendment, if it was codified and the fee structure for Mass Grading Permits.

Public Comment- Don Smith, asked if this amendment would be extended to Mining?

Senior Planner, Rob Pyzel responded Mining falls under a work exempt portion of Title 15 and is regulated by other State agencies.

Commissioner Allan motioned to forward a **recommendation of approval** to the Lyon County Board of Commissioners for the request to amend Lyon County Code Title 15 – Land Use and Development Code; adopting Chapter 15.240 – Mass Grading Permits to allow for site disturbance for nonresidential developments prior to the issuance of a building permit; to require submission of a reclamation plan and reclamation security bond prior to deeming the mass grading permit application complete; to list the mass grading plan permit submission requirements; and other matters pertaining thereto based on the following findings:

- A. The proposed zoning text amendment would create a venue to allow development proposals to move more efficiently towards the completion of their non-residential developments while providing protections to avoid site disturbances that create public health, safety and general welfare concerns experienced as a result of the 2008 – 2012 Recession not contained in the current County land use and development code; and
- B. The proposed zoning text amendment would not result in material damage or prejudice to other property in Lyon County.

Commissioner Sell **seconded**, the motion passed by a majority vote (6 Ayes; 0 Nay; 1 Abstentions, Commissioner Keating)

- 8.d.** For Possible Action: Forward a recommendation to the Board of County Commissioners for Lyon County's request for a Code Amendment for Title 15 to amend Lyon County Code Title 15 to add Chapter 15.280 – Street Name Change. Request to identify the process by which a citizen of Lyon County may make application

to change an existing street name to a new street name; to identify the review process to include noticing of the property owners of parcels with frontage on said street and the appropriate community advisory board of the street name change request application; designate the Planning Commission as the final decision-making body with the ability to appeal the Planning Commission's decision to the Board of Commissioners; requiring the amendment of recorded maps by Certificates of Amendment as outlined in NRS 278.473 and Lyon County Code Chapter 15.601.01; and other matters pertaining thereto.

Community Development Director, Andrew Haskin explained the requested code amendment to Title 15 pertaining to Chapter 15.280-Street Name requests. The proposed amendment will identify the required submission materials, the application review process and designate the Planning Commission as the decision-making body for proposed street name changes.

Staff is recommending approval of the amendment as the proposed zoning text amendment would create an open and fair process in which a citizen of Lyon County would be able to submit a street name change request that was not contained in the previous land use and subdivision ordinances (Titles 10 and 11) and is not contained in the current County land use and development code (Title 15).

Deliberation between the Commissioners and staff continued regarding how emergency services are informed about street name changes and if conditions of approval can be attached to this type of application.

Community Development Director, Andrew Haskin responded Planning Technician, Kerry Page will contact the Roads and Utilities Departments, Dispatch, applicable fire district, Assessor's office and our GIS provider. He went on to say this type of application cannot be conditioned.

Public Comment- There was none

Commissioner Allan motioned to forward a **recommendation of approval** to the Lyon County Board of Commissioners of the request to amend Lyon County Code Title 15 – Land Use and Development Code; adopting Chapter 15.280 – Street Name Change Requests; to identify the submission materials required for a citizen of Lyon County to request changing an existing street name to a new street name; the review process (to include public hearings and noticing per chapter 15.10); and establish the Planning Commission as the final decision making body (subject to the appeal procedures in chapter 15.12) based on the following findings:

- A. The proposed zoning text amendment would create a clearly defined and open public process by which a citizen in Lyon County could propose a change to an existing street name; and
- B. The proposed zoning text amendment would not result in material damage or prejudice to other property in Lyon County.

Commissioner Carlson **seconded**, the motion passed by a majority vote (6 Ayes; 1 Nay, Commissioner Kuzmicki; 0 Abstentions)

- 8.e.** For Possible Action: Forward a recommendation to the Board of County Commissioners for Sierra Range Consultants request for a Lyon County Code Amendment to amend Title 15, the Lyon County land use and development code, Table 15.320-1, in order to permit additional uses with an approved Conditional Use

Permit (CUP) within the Resource Land zoning district. Currently Outdoor Shooting Ranges are permitted with a CUP; the proposed amendments would add Indoor Shooting Ranges, Archery Ranges, and Skeet/Trap Shooting Range/Course to the uses permitted with a CUP, and other matters pertaining thereto.

Community Development Director, Andrew Haskin explained the requested amendment to Title 15 pertaining to table 15.320-1 to permit additional uses with an approved Conditional Use Permit (CUP) within the Resource Land zoning district. Currently Outdoor Shooting Ranges are permitted with a CUP; the proposed amendments would add Indoor Shooting Ranges, Archery Ranges, and Skeet/Trap Shooting Range/Course to the uses permitted with a CUP.

Staff is recommending approval.

Public Comment- There was none

Commissioner Allan motioned to forward a **recommendation of approval** to the Lyon County Board of Commissioners for the Zoning Text Amendments request by Sierra Range Consultants to amend Lyon County Code Title 15 – Land Development Code, Chapter 15.320, Section 3, Table 1, as described in the attached Ordinance.

Commissioner Sell **seconded**, the motion passed by unanimous vote (7 Ayes; 0 Nay; 0 Abstentions)

8.f. For Possible Action: To forward a recommendation to the Board of County Commissioners for Erik Litak's request for zoning map amendments to change the zoning on three parcels, approximately 392.47 acres in total, from RR-5 (Fifth Rural Residential – 20 acre minimum) to RL (Resource Land) located in Silver Springs (unaddressed) and accessed by Micro Avenue (APNs: 015-521-17, 015-521-25, 015-521-26); PLZ-2022-150, PLZ-2022-151, PLZ-2022-152.

Senior Planner, Louis Cariola presented the Staff Report summarizing the applicant's request for a zoning map amendment to change the zoning on three parcels from RR-5 (Fifth Rural Residential- 20 acre minimum) to RL (Resource Land). The existing zoning is not compatible with the Master Plan designation; the proposed zoning would be consistent. The subject parcels are located outside the service boundaries of public water and sewer utilities. Future development will require approval for a well and septic including approvals from the Nevada Division of Water Resources and the Nevada Division of Environmental Protection. Future development will also be required to provide private utilities such as electric power.

Staff is recommending approval.

Commissioner Keating asked if the Stagecoach Advisory Board heard this item. Community Development Director, Andrew Haskin, responded he did a presentation on it at their May meeting.

Public Comment- There was none.

Commissioner Allan motioned to forward a **recommendation of approval** to the Lyon County Board of Commissioners or Erik Litak's request for zoning map amendments to change the zoning on three parcels, approximately 392.47 acres in total, from RR-5 (Fifth Rural Residential – 20 acre minimum) to RL (Resource Land) located in Silver Springs (unaddressed) and accessed by Micro Avenue (APNs: 015-521-17, 015-521-25, 015-521-26); PLZ-2022-150, PLZ-2022-151, PLZ-2022-152; based on the following findings:

- A. The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;
- B. The proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;
- C. The proposed amendment is compatible with the actual or master planned adjacent uses.

Commissioner Carlson **seconded**, the motion passed by a unanimous vote (7 Ayes; 0 Nay; 0 Abstentions)

RECESS TO CONVENE AS THE LYON COUNTY PUBLIC LANDS MANAGEMENT ADVISORY BOARD

9. Public Participation- None

10. Action Items- None

11. Staff update on Public Lands Bill- Community Development Director, Andrew Haskin, said there was no new update on the Public Lands Bill at this time. The County is still waiting for the contractor to create proposed maps with areas/land to be included in the Lands Bill. Mr. Haskin asked the Board if they were okay with taking this agenda item off the agenda until which time they have something to report.

12. Board Member Comments- None

13. Future Agenda Items- None

14. Public Participation- Don Smith asked if there is a Draft Lands Bill. From the way the agenda reads it sounds like there is a draft Lands Bill. Community Development Director Haskin responded at this time there is no Lands Bill. The preliminary research for a Lands Bill is all the County has done at this time.

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

15. Staff Comments and Commissioner Comments:

Community Development Director, Andrew Haskin apologized for agenda packets being delayed.

15.a. Staff update on recent County Commissioners actions

Community Development Director, Andrew Haskin apologized for agenda packets being delayed.

Mr. Haskin addressed the action taken by the County Commissioners at their last meeting, on the following Ordinance amendments:

- For Possible Action: To propose an Ordinance to amend Lyon County Code Title 15, the Lyon County land use and development code; Chapter 15.320 Section 3 Table 15.320-1; Chapter 15.320 Section 3 Table 15.320-2; and Chapter 15.335.03 Section WW; in order to restrict Recreational Vehicle (RV), boat, and personal storage uses along Nevada State Highways and to clarify Performance Standards for the uses; and other matters pertaining thereto.

The Board moved to continue the proposed Ordinance to the July 7, 2022 meeting with the suggested amendments.

- For Possible Action: To propose an Ordinance to amend Lyon County Code Title 15, the Lyon County land use and development code; Chapters 15.607.01 (A); 15.607.04 (A); 15.607.04 (B); 15.607.05 (A); 15.607.05 (B); 15.607.06 (A); 15.607.06 (D) and 15.607.06 (E); to authorize the Community Development Director to approve final subdivision map applications as allowed under Nevada Revised Statutes 278.380.

The Board took action to propose the ordinance to be heard for possible adoption at the July 7, 2022 meeting

16. Public Participation- None

17. Adjournment

At approximately 10:30 a.m. it was unanimously motioned to adjourn.

Tammy Hendrix, Chairwoman

Shannon Juntunen, Administrative Assistant